

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

MARINE TRAVELIFT, INC.,

Plaintiff,

v.

Case No. 10-C-1046

MARINE LIFT SYSTEMS, INC.,

Defendant.

ORDER

Currently before me are two motions for summary judgment filed by defendant Marine Lift Systems, Inc (MLS). (ECF Nos. 130 & 135.) The court indefinitely stayed Plaintiff Marine Travelift, Inc.'s (MTI) response to the motion pending resolution of several discovery disputes. On July 2, 2013, the court directed Plaintiff Marine Travelift, Inc. (MTI) to file its response to issue of whether its distributorship agreement with MLS was exclusive as to MLS. In other words, MTI was to respond to MLS's contention that it was permitted under the agreement to sell marine lifts manufactured by other companies. That issue seemed unaffected by the pending discovery matters. On further review, it also appears that MLS's motion for summary judgment on its counterclaim is unaffected by the discovery dispute as well. MLS's counterclaim does not implicate the same issues raised in MLS's summary judgment motion on MTI's claims. (ECF No. 135). Instead, the factual and legal issues raised in MLS's motion on its counterclaim are discrete and can readily be addressed on summary judgment. Accordingly, MTI is directed to file a response to MLS's motion

for summary judgment (ECF No. 130) on or before August 31, 2013. MLS may file its reply within the time allotted by Civil L.R. 56(b)(3).

SO ORDERED this 6th day of August, 2013.

s/ William C. Griesbach
William C. Griesbach, Chief Judge
United States District Court